

THIRTY-SECOND DAY.

Senate Chamber,
Austin, Texas,
February 26, 1931.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Hardin. Stevenson.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports

(See Appendix.)

Bills and Resolutions.

By Senators Oneal, Woodward, Rawlings, Moore.

S. J. R. No. 25, Proposing an amendment to Section 13 of Article 5 of the Constitution of the State of Texas, relating to grand and petit juries in the district courts by providing that an extra juror may be called, qualified and sworn along with the regular jurors in felony cases who shall sit with the jury in the hearing of a case and who shall take part in the deliberation and finding of verdict in case of the death or disability of one of the other jurors impaneled therein, and requiring an extra juror in capital cases.

Read and referred to Committee on Constitutional Amendments.

By Senator Holbrook:

S. J. R. No. 26, Proposing an amendment to the State Constitution providing that the Permanent University Fund shall not be invested in bonds or obligations and pledges issued by the Board of Regents of the University of Texas; providing for the submission of this amendment to a vote of the people of Texas; providing the time, means, and manner thereof; and making an appropriation for such purpose.

Read and referred to Committee on Constitutional Amendments.

By Senator Purl:

S. B. No. 448, A bill to be entitled "An Act providing that whenever any person shall procure the issuance of a policy of insurance on his or her life in any legal reserve life insurance company, and designate in writing filed with the company the beneficiary to receive the proceeds thereof, the company issuing such policy shall, in the absence of the receipt by it of notice of an adverse claim to the proceeds of the policy from one having a bona fide legal claim to such proceeds or a part thereof, pay such proceeds becoming due on the death of the insured to the person so designated as beneficiary, and such payment, so made, in the absence of such notice received by the insurance company prior to the date of the payment of the proceeds, shall discharge the company from all liability under the policy; providing that the provisions of this Act shall apply to policies in existence, as well as to all policies hereafter written, and declaring an emergency."

Read and referred to Committee on Insurance.

By Senator Purl:

S. B. No. 449, A bill to be entitled "An Act to define the term scholastic as used in Section 5, Article VII of the Constitutional of the State of Texas relating to the population on which to base the apportionment of the state and county available school funds; to prescribe the limits of age and residence of those pupils entitled to the benefits of the public free schools; to require the State Superintendent to make such rules and regulations, subject to the approval of the State Board of Education, as

may be necessary to carry out the provisions of this Act; to fix the penalty for false swearing in connection with taking the scholastic census; repealing all laws and parts of laws in conflict herewith, and especially repealing Articles 2816, 2817, 2819, 2821, and 2822, R. S. 1925; and declaring an emergency."

Read and referred to Committee on Educational Affairs.

By Senator Purl:

S. B. No. 450, A bill to be entitled "An Act to provide for filling any vacancy that may occur in the office of the county superintendent of schools; repealing all laws in conflict herewith; and declaring an emergency."

Read and referred to Committee on Educational Affairs.

By Senator Purl:

S. B. No. 451, A bill to be entitled "An Act amending Article 465, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Poage:

S. B. No. 452, A bill to be entitled "An Act to apportion the State of Texas into senatorial districts, naming the counties composing each district and providing for the election of a member of the State Senate from each such district and repealing all laws and parts of laws in conflict therewith."

Read and referred to Committee on Senatorial Districts.

By Senator Poage:

S. B. No. 453, A bill to be entitled "An Act repealing Article 194 of the Revised Civil Statutes of 1925, and providing that all election returns, in cases of election of State Senators, shall be made to the Secretary of State and the Secretary of State shall receive the returns and count the votes, and issue certificates of election to persons receiving the highest number of votes for Senator at any election in their respective districts."

Read and referred to Committee on Senatorial Districts.

By Senator Poage:

S. B. No. 454, A bill to be entitled "An Act regulating the paternity, care, support and maintenance of illegitimate children, and the mother

thereof, and the women pregnant with a child which if born alive would be illegitimate; providing the procedure for ascertaining the paternity of such child, and the care and support of said mother and child; providing for complaints, hearings, and trials, and the means, time, and manner thereof; prescribing rules of evidence; regulating compromises with the alleged father of such child; prohibiting the absconding of such fathers from this State; providing for recognizances; prescribing offenses, fines, penalties and punishments, and venue; prescribing the duties of various officers; prescribing the rights and duties of father and mother of such child; fixing the period of liability of such father; providing for records to be kept, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Poage:

S. B. No. 455, A bill to be entitled "An Act providing a five year period of limitation for all suits involving the recovery of mineral rights ownership of which has been segregated from the ownership of the surface, and providing that the owner and holder of the surface shall in such cases be considered to be in adverse possession of said mineral rights against the owner thereof and providing that the provisions of this Act shall not be applicable in certain instances."

Read and referred to Committee on State Affairs.

By Senators Hornsby and Holbrook:

S. B. No. 456, A bill to be entitled "An Act to amend Chapter 13, Title 71, Revised Civil Statutes of Texas, 1925, by adding thereto Article 4585a, to provide that the board, or their duly authorized agents, may, upon receiving such bodies, deliver to the State Board of Embalming such number of the same as may be necessary for the use of said State Board of Embalming in conducting its semi-annual examinations; and may further deliver to any school of embalming in this State that is recognized and certified by the State Board of Embalming such number of said bodies as the board may in its judgment think necessary for use in

instruction given in such schools; and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator DeBerry, by request:

S. B. No. 457, A bill to be entitled "An Act to amend Section 2 of Chapter 141, page 210, of the General and Special Laws of the Regular Session of the Fortieth Legislature, and declaring an emergency."

Read and referred to Committee on Military Affairs.

By Senator Oneal:

S. B. No. 458, A bill to be entitled "An Act amending Chapter 17 of the General Laws, Regular Session, Thirty-ninth Legislature, to allow a lien in favor of any person, firm or corporation who may furnish any material, apparatus, fixtures, machinery, labor, supplies, repairs or render any service to contractors or persons making public improvements; providing where venue shall be; and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Poage:

S. B. No. 459, A bill to be entitled "An Act adding two new sections to Article 7174 of the Revised Civil Statutes of 1925 and providing that the owner of any real estate in this State may file with the tax assessor a statement describing any liens thereon and that thereupon such owner shall be taxed only upon the equity owned in said real estate and repealing all laws and parts of laws in conflict."

Read and referred to Committee on Civil Jurisprudence.

By Senators Moore, Thomason, Woodward, Pollard, DeBerry, Russek, Poage, Purl, Greer, Woodruff:

S. B. No. 460, A bill to be entitled "An Act regulating the graduate work of, and the conferring of degrees by, certain state educational institutions; providing the means and manner thereof; and declaring an emergency."

Read and referred to Committee on Educational Affairs.

By Senator Small:

S. B. No. 461, A bill to be entitled "An Act fixing the time of holding terms of the district courts in all

of the judicial districts of the State of Texas, and regulating certain practices and proceedings in such courts, and repealing all laws in conflict with this Act; and declaring an emergency."

Read and referred to Committee on Judicial Districts.

By Senator Parrish:

S. B. No. 462, A bill to be entitled "An Act authorizing suits to be brought and maintained against persons owning or claiming any interest in lands, in cases (a) where land or any interest therein has been or may hereafter be conveyed by written instrument to any person as trustee and in such conveyance or instrument constituting source of title the names of the persons taking or holding the beneficial or equitable title are not disclosed and are unknown, and (b) when land or an interest therein has been conveyed by written instrument to an association, joint stock company or partnership, and after such conveyance, said association, joint stock company or partnership has been dissolved and the names of the persons owning, acquiring or becoming the owners of the assets and lands or such associations are not disclosed in such conveyance and are unknown; providing how such unknown persons shall be made parties; prescribing the procedure in such cases; and declaring an emergency."

Read and referred to Committee on Public Land and Land Office.

By Senator Parrish:

S. B. No. 463, A bill to be entitled "An Act amending Section 74 of Article 8306 of the Revised Civil Statutes of Texas, 1925; and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Pollard:

S. B. No. 464, A bill to be entitled "An Act to amend Section 1, Chapter 250, Senate Bill No. 520, Acts of the Regular Session of the Forty-first Legislature; and declaring an emergency."

Read and referred to Committee on Educational Affairs.

By Senator Rawlings:

S. B. No. 465, a bill to be entitled "An Act defining the duties of

county attorneys, district attorneys and criminal district attorneys and prohibiting commissioners' court from expending public funds in the employment of outside attorneys; to repeal all laws in conflict herewith, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Rawlings:

S. B. No. 466, a bill to be entitled "An Act to fix, equalize, and regulate the compensation of county officers in all counties having a population of not less than 195,000 inhabitants nor more than 200,000, according to the United States census of 1930, etc., and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Rawlings:

S. B. No. 467, a bill to be entitled "An Act to amend Article 7332, Chapter 10, Title 122, of the Revised Civil Statutes of Texas, relating to fees in delinquent tax suits, as amended by the Act of the 41st Legislature passed at its regular session and found in the published laws of said session, Chapter 143, pages 307-308, and as amended by the Acts of the Fourth Session of the 41st Legislature as the same appears in the published laws of said session, Chapter 20, page 37; to repeal all laws in conflict herewith, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Pollard:

S. B. No. 468, a bill to be entitled "An Act to amend Article 26, Chapter two of the Revised Code of Criminal Procedure of 1925, providing for compensation of county attorneys in judicial districts composed of two or more counties, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Parrish:

S. B. No. 469, a bill to be entitled "An Act amending Chapter 177, Acts of the Thirty-Ninth (39th) Legislature, Regular Session, Page 343, as amended by the Acts of the Forty-first (41st) Legislature, Regular Session, Chapter 221, Page 472, as amended by the Acts of the Fifth (5th) Called Session of the Forty-

first (41st) Legislature, Chapter 45, Page 185, relating to fur-bearing animals, by adding thereto Section 13-A, providing that the open season for fur-bearing animals shall be extended fifteen (15) days in Cottle County; and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Parrish:

S. B. No. 470, a bill to be entitled "An Act amending Article 727 of the Code of Criminal Procedure; and declaring an emergency."

Read and referred to Committee on Criminal Jurisprudence.

By Senator Parrish:

S. B. No. 471, a bill to be entitled "An Act to amend Article 30 of the Code of Criminal Procedure, Revision of 1925; and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Parrish:

S. B. No. 472, a bill to be entitled "An Act to amend Article 419 of the Code of Criminal Procedure; and declaring an emergency."

Read and referred to Committee on Criminal Jurisprudence.

By Senator Parrish:

S. B. No. 473, a bill to be entitled "An Act amending Article 7005, Revised Civil Statutes of Texas, 1925, as amended by the Acts of the Fortieth (40th) Legislature, Regular Session, Page 156, Chapter 105, Section 1, relating to the exemption of certain counties from the provisions of Chapter 7, Title 121, Revised Civil Statutes of Texas, 1925, by adding Garza County to the list of counties exempted; and declaring an emergency."

Read and referred to Committee on Counties and County Boundaries.

By Senator Cunningham:

S. B. No. 474, a bill to be entitled "An Act amending Art. 3883 of the Revised Civil Statutes of 1925, as amended by Acts 1930, 41st Legislature, 4th called session, Page 30, Chapter 2; said Article relating to fees and compensation of county, district and precinct officers, etc."

Read and referred to Committee on Civil Jurisprudence.

By Senator Rawlings by request:

S. B. No. 475, a bill to be entitled "An Act to provide information to the public on the name of the manufacturer and the place where manufactured of wheat flour offered or exposed for sale by dealers and merchants in the State of Texas; fixing penalties for violation of this Act; and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Neal:

S. B. No. 476, a bill to be entitled "An Act providing that the returns of general elections and primary elections shall be promptly transmitted as required by law; and providing penalties for violation of this Act and remedies for its enforcement; and declaring an emergency."

Read and referred to Committee on Privileges and Elections.

By Senator Pollard:

S. B. No. 477, a bill to be entitled "An Act to validate and confirm the title to settlers claims or preemption surveys to the preemptors or their assignees in all cases where proof of three years occupancy from the date of filing of the application cannot be made but use and occupancy for a period of twenty-five years prior to the passage of this act can be shown, and to require the issuance of patents and to declare an emergency."

Read and referred to Committee on State Affairs.

By Senator Parrish:

S. B. No. 478, a bill to be entitled "An Act extending the boundaries in the Counties in Texas, adjacent to the State of New Mexico, so as to include within said Counties that part of what was formerly a part of the State of New Mexico, as fixed by the survey of John H. Clark, which was approved by the Acts of Congress, 61st Congress, Third Session, S. J. R. No. 124; prescribing metes and bounds for the perfecting of records, and the admission of evidence affecting title to such lands; and declaring an emergency."

Read and referred to Committee on Counties and County Boundaries.

By Senator Parrish:

S. B. No. 479, A bill to be entitled "An Act regulating the installation and keeping of records by gas com-

panies furnishing gas to any incorporated city or town; prescribing the means and cost thereof; providing for the reading and inspecting of said meters and records by the Mayor or City Manager, or any Alderman, Commissioner or Member of the City Council, or by any other member of the governing body; prescribing offenses and penalties; and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Parrish:

S. B. No. 480, A bill to be entitled "An Act regulating the rates of gas utilities which furnish gas to schools of the State, or any municipality, school district, or other political subdivision; providing that where such governmental agency has more than one building in any incorporated city or town, that the same gas rate shall be allowed such agency as is charged to industrial institutions or similar institutions; providing the means and manner of enforcing the same; providing procedure; prescribing offense and penalties; and declaring an emergency."

Read and referred ot Committee on State Affairs.

By Senator Small:

S. B. No. 481, A bill to be entitled "An Act regulating the patenting of lands formerly a part of Oklahoma, but awarded to the State of Texas by the Supreme Court of the United States in the case of The State of Oklahoma vs. The State of Texas. United States of America, Intervenor, which are now situated in Lipscomb, Hemphill, Wheeler, Collingsworth and Childress Counties; providing for the validating of titles thereto, and the means and manner thereof; providing for the keeping of records and the filing of instruments affecting title thereto, and for the admission of the same in evidence; providing for the adoption of rules and regulations by the Land Commissioner and generally for the enforcement hereof; making an appropriation for the purposes hereof; providing the effective date hereof, and declaring an emergency."

Read and referred to Committee on Public Lands and Land Office.

By Senator Hornsby:

S. B. No. 482, A bill to be entitled "An Act to amend subsection 3 of Article 1036 of the Code of Crim-

inal Procedure; and declaring an emergency."

Read and referred to Committee on Criminal Jurisprudence.

By Senator Neal:

S. B. No. 483, A bill to be entitled "An Act to create a temporary commission to inquire into and report upon the number, distribution, and condition of crippled children and physically disabled persons throughout the State, to recommend means more adequately to meet their needs, and making an appropriation therefor; and declaring an emergency."

Read and referred to Committee on Public Health.

By Senator Neal:

S. B. No. 484, A bill to be entitled "An Act to amend Article 3079, Chapter Eleven, Title 50 of the Revised Civil Statutes of Texas, 1925; and adding thereto Articles 3079A, 3079B and 3079C, providing for the time that electors may be chosen for President and Vice-President of the United States; the manner in which they may be elected; and how the returns shall be canvassed, and providing for the making of certificates to the Secretary of State by the Chairman of the State Committee of said party and designating the time in which said certificates shall be made."

Read and referred to Committee on Privileges and Elections.

By Senator Neal:

S. B. No. 485, A bill to be entitled "An Act authorizing the State Board of Control to acquire land for and establish five major State Parks situated respectively in the areas of Caddo Lake, Palo Pinto County, Palo Duro Canyon, Guadalupe Mountains and Davis Mountains. Providing for operation of such parks under the supervision of the Texas State Parks Board, enlarging the authority of the Texas State Park Board, and making an appropriation."

Read and referred to Committee on State Affairs.

By Senator Woodruff:

S. B. No. 486, A bill to be entitled "An Act, creating a board of special commissioners to make certain investigations, report certain findings to the Legislature, prescribing certain duties of the State Auditor, making appropriations to defray ex-

penses of such board, and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Parrish:

S. B. No. 487, A bill to be entitled "An Act to amend Section 18 of Article 8306 of the Revised Civil Statutes of Texas, 1925; and declaring an emergency."

Read and referred to Committee on Insurance.

By Senator Purl:

S. B. No. 488, A bill to be entitled "An Act protecting hospitals, clinics, and other institutions where persons are treated for compensation for diseases, illnesses, injuries, and disabilities, from fraud and non-payment of bills, for medical services, medicine, doctors' bills and hospital bills generally; providing for liens on insurance of such persons and their employers on their behalf; prohibiting the giving of worthless checks; prescribing offenses, fines and penalties and declaring an emergency."

Read and referred to Committee on Public Health.

By Senator Loy:

S. B. No. 489, A bill to be entitled "An Act providing that the State Auditor shall send a questionnaire to each and every member of the House of Representatives and the Senate, and providing the form and contents thereof; prescribing offenses, fines and penalties; and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Martin:

S. B. No. 490, A bill to be entitled "An Act providing for the election of a district attorney in the 18th judicial district of Texas and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Neal:

S. B. No. 491, A bill to be entitled "An Act to amend Article 192 of the Revised Civil Statutes of 1925 by adding thereto another section to be known as Article 192A, providing for bounties for rattle snakes and other poisonous snakes and reptiles; providing the amount thereof and the means and manner of payment, and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Small:

S. B. No. 492, A bill to be entitled "An Act providing for the creation of Independent School Districts by the County Board of Trustees and providing for the assumption of bonds or other indebtedness then outstanding against portions of the territory included in a new district, and providing for an election by the qualified property tax paying voters living within the area of the new district for the purpose of assuming such bonded indebtedness, and declaring an emergency."

Read and referred to Committee on Educational Affairs.

By Senator Purl:

S. B. No. 493, A bill to be entitled "An Act amending Article 3109 of the Revised Civil Statutes of 1925 so as to make the same apply to candidates for State offices as well as for district, county or precinct offices in the matter of printing primary election ballots, and declaring an emergency."

Read and referred to Committee on Privileges and Elections.

By Senator Moore, by request:

S. B. No. 494, A bill to be entitled "An Act providing for the sale by the Commissioner of the General Land Office at auction of oil and gas leases on unsold public free school and asylum lands, fresh water lakes, river beds and channels, islands, salt water lakes, bayous, inlets, marshes, reefs, and that part of the Gulf of Mexico within the jurisdiction of Texas; fixing the time, manner and terms of holding such auction sales, and providing distribution of lists of lands and acreage available; prescribing terms, rentals and royalties on oil and gas leases, providing for continuing leases after production secured; prescribing terms and conditions of development of leases; providing for offset wells; authorizing transfers of permits and leases, and relinquishments of same to the State; providing for forfeiture of permits and leases on non-compliance with this Act and setting aside forfeitures; prescribing manner of securing right of way over adjoining lands; providing for retaining one-sixteenth oil and gas interest in all State land hereafter sold; providing for extensions of permits or leases upon unsuccessful development; fixing the

terms of outstanding permits and leases; reviving and validating applications and permits on Caddo Lake and other fresh water lakes; fixing the terms of leases based on outstanding petroleum and gas prospect applications, and prescribing rentals and royalties thereon; providing for leases on vacant and unsurveyed lands; providing time elapsing during litigation shall not be counted as part of term of permit or lease; continuing combination benefits on permits previously combined; providing permit or lease owner may survey his tract and adjust shortage or excess acreage therein; providing for disposition of funds arising from activities under this Act; prescribing effect of unconstitutional, void or inoperative portions of this Act; repealing all laws in conflict with this Act; and declaring an emergency."

Read and referred to Committee on Public Lands and Land Office.

By Senator Neal:

S. B. No. 495, A bill to be entitled "An Act requiring the Game, Fish and Oyster Commissioner to set aside and designate portions of the fresh water lakes, streams, creeks, rivers, lagoons and ponds of this State as fish sanctuaries for the propagation in their natural state of fresh water fish, etc., and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Greer:

S. B. No. 496, A bill to be entitled "An Act to apportion the State of Texas into representative districts; to fix the number of representatives thereof; to repeal all laws in conflict herewith; and declaring an emergency."

Read and referred to Committee on Representative Districts.

By Senator Purl:

S. B. No. 497, A bill to be entitled "An Act to amend Article 4578, Revised Civil Statutes of Texas, of 1925, to provide that any person engaged or desiring to engage in the practice of embalming in connection with the care and disposition of dead human bodies within this State shall make a written application to the State Board of Embalming for a license, accompanying the same with a li-

cense fee of ten dollars, whereupon the applicant shall come before said board at its regular annual meeting or at a special meeting thereof; providing that in all examinations held after the annual meeting of the board in May, 1931, no applicant for a license shall be eligible to take said examination unless he shall submit satisfactory evidence to the board that he is a graduate of a high school or that he has had school training equivalent to that given in the high schools of this State, or that he holds a valid and subsisting embalmer's license or certificate issued under the authority of another state; if the board finds that the applicant is of good moral character, has the required education or license, and is possessed of knowledge of the arterial system, the location of the heart, lungs, and other organs of the human body, and the location of abdominal, pleural and thoracic cavities, location of the carotid, brachial, radial, ulner, femoral and tibial, arteries, a knowledge of the science of embalming and the care and disposition of the dead, and has a reasonable knowledge of sanitation and the disinfection of the bodies of diseased persons, and the apartment, clothing and bedding in case of death by infectious or contagious diseases, the board shall issue to said applicant a license as a duly licensed embalmer, authorizing him to practice the science of embalming; such license shall be signed by a majority of the board; all persons receiving license under the provisions of this law shall have said license registered in the county clerk's office in the county in which it is proposed to carry on said practice, and shall display said license conspicuously in the place of business of the licensee; and declaring an emergency."

Read and referred to Committee on State Affairs.

Bill Signed.

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

H. B. No. 180.

Bills Re-referred.

On motion of Senator Moore, S. B. Nos. 3 and 4 were withdrawn from

the Committee on State Affairs and re-referred to the Committee on Finance.

Senators Excused.

On motion of Senator Moore, Senator Hardin was excused for the day on account of death in the family.

On motion of Senator Beck, Senator Stevenson was excused for the day on account of illness.

Messages From the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives.
Austin, Texas, Feb. 26, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

S. C. R. No. 12, Directing the Governor to proclaim October 11 of each year "General Pulaski's Memorial Day."

As amended.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives.
Austin, Texas, Feb. 26, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 30, A bill to be entitled "An Act ratifying and validating the creation of Common School District Number 24 of Duval County, Texas; ratifying and validating the order made and entered by the county board of trustees of Duval County, Texas, on May 16, 1930, reestablishing and redefining such common school districts; etc."

S. B. No. 71, A bill to be entitled "An Act amending Chapter 167, Acts of the Regular Session of the Forty-first Legislature; and declaring an emergency."

S. B. No. 254, A bill to be entitled "An Act ratifying and validating the creation and consolidation proceedings creating San Diego Independent School District of Duval and Jim Wells Counties, Texas, by consolidat-

ing San Diego Independent School District of Duval and Jim Wells Counties, Texas, etc., and declaring an emergency."

H. B. No. 81, A bill to be entitled "An Act amending Chapter 17 of the Thirty-ninth Legislature, page 44, also amending Articles 5160, 5161, 5162, 5163 and 5164, Revised Civil Statutes of the State of Texas for 1925, providing that anyone contracting with the State of Texas, or its counties, or school districts, or other subdivisions or any municipality for the construction of public buildings or the prosecution and completion of any public work, they shall retain at least 50 per cent of the funds that may become due and owing on the contract until final completion of such contract; also providing that laborers, material men and those furnishing equipment shall have a lien, and also providing for security to be furnished by contractors, also providing that accounts for materials and labor shall be filed; procedure for the enforcement of claims and liens, time to sue, prorating claims, and declaring an emergency."

H. B. No. 125, A bill to be entitled "An Act amending Article 1811-141a, Chapter 191, General and Special Laws of the Regular Session of the Fortieth Legislature, and declaring an emergency."

H. B. No. 372, A bill to be entitled "An Act to repeal Chapter 118, General and Special Laws, Fortieth Legislature, being Washington County road law, and declaring an emergency."

H. B. No. 436, A bill to be entitled "An Act to create and validate Cameron County Water Control and Improvement District No. 18 in Cameron County, Texas, as a conservation and reclamation district; validating and approving all orders made by the commissioners' court of said county in respect to the original organization of Cameron County Water Control and Improvement District No. 18, under Article 16, Section 59, of the Constitution, etc., and declaring an emergency."

H. B. No. 467, A bill to be entitled "An Act to fix the salary of the Superintendent of Public Instruction in each county in Texas having a popu-

lation of not less than 36,000 nor more than 36,100 according to the Federal census of 1930; providing for office assistants and salaries, providing for office expenses, repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 470, A bill to be entitled "An Act authorizing county boards of school trustees, in certain counties of Texas, to employ rural school supervisors in lieu of holding teachers' institutes, defining their duties and fixing their compensation, and declaring an emergency."

H. B. No. 486, A bill to be entitled "An Act to repeal Chapter 76, Special Laws of the First Called Session of the Fortieth Legislature of 1927, entitled Polk County Road Law, creating a more efficient road system of Polk County, Texas, and declaring an emergency."

H. B. No. 530, A bill to be entitled "An Act to fix the maximum amount of bonds which may be issued by and to fix the maximum rate of tax to be levied for school purposes in all independent school districts having a population of more than 200,000 and less than 250,000, according to the Federal census of 1930 or any subsequent legally authorized census, whether under general or special law; repealing all laws in conflict herewith, both general and special, and declaring an emergency."

H. B. No. 537, A bill to be entitled "An Act validating, ratifying, confirming, and approving the acts, orders and proceedings of the commissioners' court of Somervell County, Texas, relating to incorporation of the city of Glen Rose, validating ratifying, confirming and approving the boundary lines embracing the territory within the corporate limits of the city of Glen Rose, and declaring an emergency."

H. B. No. 545, A bill to be entitled "An Act to create Cameron County Water Improvement District No. 8, in Cameron County, Texas, as a water improvement district, with the powers of a conservation and reclamation district under Article 16, Section 59, of the Constitution of Texas; defining its territorial limits, purposes and powers; to validate the bonds of said district in the principal

sum of \$1,000,000.00, with attached interest coupons dated June 1, 1929, as legal and binding obligations of such district as hereby created, and the taxes levied in payment therefor, etc., and declaring an emergency."

H. B. No. 179, A bill to be entitled "An Act to amend Article 955 of the Revised Criminal Statutes of Texas of 1925, as amended by House bill No. 406, Chapter 257, General and Special Laws of the Regular Session of the Forty-first Legislature, prohibiting the sale of fish taken from fresh water streams of certain named counties, and also providing means and methods of taking and possessing fish from fresh waters of said counties, and by adding the name of the county of Mills to said list of counties, and declaring an emergency."

H. B. No. 206, A bill to be entitled "An Act to provide a more efficient road system for Montgomery county by amending Section 12 and by reenacting Section 13 and 13a of Chapter 57, Local and Special Laws, passed at the Regular Session of the Forty-first Legislature, and declaring an emergency."

H. B. No. 300, A bill to be entitled "An Act to amend Section 10 and Section 13 of Chapter 27 of the Acts of the Thirty-sixth Legislature, page 36, said chapter being an act to amend an act of the Thirty-fourth Legislature, creating the county court of Jefferson County at law; amending Section 10 with reference to the clerk of said court, and providing for a deputy clerk for said court; providing for the manner and method of appointing such clerk, and the compensation to be paid such clerk, and providing for the appointment of an official shorthand reporter for such court, etc., and declaring an emergency."

H. B. No. 365, A bill to be entitled "An Act to amend Section 14, Chapter 34, of the Acts of the First Called Session of the Forty-first Legislature of the State of Texas, entitled 'An Act to create a more efficient road system for McLennan County, Texas,' by adding thereto Sections 14a and 14b, to authorize the commissioners' court to expend county funds in any incorporated city or town for county and State highway road purposes and validating any previous action

had and taken, and declaring an emergency."

H. B. No. 466, A bill to be entitled "An Act to levy and collect annually a three dollar road tax against all able-bodied male citizens of Freestone County, Texas, who are between the ages of twenty-one and forty-five years, except such as are by the general laws of this State exempt from road duty; providing the manner of assessment and collection of said tax and repealing all laws in conflict herewith, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Feb. 26, 1931.

Hon Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

S. B. No. 84, A bill to be entitled "An Act to allow Office and Traveling Expense of the Superintendents of Public Instruction in each county in Texas having a population of not less than 18,755 nor more than 18,765 according to the Federal Census of 1930; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

With amendments.

S. B. No. 130, A bill to be entitled "An Act to validate the organization and creation of all Consolidated Independent School Districts formed through the consolidation of seven common school districts and one independent school district in counties having a population of not less than 9411 and not more than 9412 according to the last Federal Census, etc., and declaring an emergency."

S. B. No. 142, A bill to be entitled "An Act to create Jackson County Drainage District Number Eight in Jackson County, Texas, validating and approving all orders made by the commissioners' court of Jackson County in respect to the original organization and creation of said District as a Drainage District under Article 3, Section 52 of the Constitution; converting said District, without change of name, to a Conservation and Reclamation District under Section 59 of Article 16 of the

Constitution; and declaring an emergency."

With amendments.

S. B. No. 143, A bill to be entitled "An Act to create Jackson County Drainage District Number Five in Jackson County, Texas, validating and approving all orders made by the commissioners' court of Jackson County in respect to the original organization and creation of said district as a drainage district under Article 3, Section 52 of the Constitution; and declaring an emergency."

With amendments.

S. B. No. 144, A bill to be entitled "An Act to create Jackson County Drainage District Number One in Jackson County, Texas, validating and approving all orders made by the commissioners' court of Jackson County in respect to the original organization and creation of said district as a drainage district under Article 3 Section 52 of the Constitution, converting said District, without change of name, and declaring an emergency."

With amendments.

S. B. No. 145, A bill to be entitled "An Act to create Jackson County Drainage District Number Two in Jackson County, Texas, validating and approving all orders made by the commissioners' court of Jackson County in respect to the original organization and creation of said district as a drainage district under Article 3, Section 52 of the Constitution; and declaring an emergency."

With amendments.

S. B. No. 146, A bill to be entitled "An Act to create Jackson County Drainage District Number Four in Jackson County, Texas, validating and approving all orders made by the commissioners' court of Jackson County, in respect to the original organization and creation of said district as a drainage district under Article 3, Section 52 of the Constitution, converting said district without change of name, to a Conservation and Reclamation District under Section 59 of Article 16 of the Constitution; validating all assessments of taxes, etc., and declaring an emergency."

With amendments.

S. B. No. 147, A bill to be entitled "An Act to create Jackson County Drainage District Number Three in

Jackson County, Texas, validating and approving all orders made by the commissioners' court of Jackson County in respect to the original organization and creation of said district as a drainage district under Article 3, Section 52 of the Constitution; and declaring an emergency."

With amendment.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Substitute For S. C. R. No. 17.

Senator Parrish sent up the following substitute for S. C. R. No. 17, and moved that it be printed in the Journal. The motion prevailed.

Whereas, in all sections of this state, city and county officials, civic organizations, business men, and citizens from all walks of life, have protested against the prices and the rates and charges which are being made for transportation, insurance and telegraph and telephone services, and the charges being made for natural gas and electricity for domestic and power purposes, and by pipe line companies for transporting oil, it being alleged that such prices, rates and charges are, in many instances, unreasonable and exorbitant; and

Whereas, particular complaint has been made against persons, firms, corporations, and associations of persons producing, manufacturing, transporting, carrying, delivering, buying and selling natural gas and electricity for domestic and power purposes, and against pipe line companies for oil, and against certain insurance companies, telegraph and telephone companies; and

Whereas, it has been repeatedly charged in this state that such companies are not bearing their just portion of the burdens of taxation; and

Whereas, it is alleged that the profits of such companies are unreasonable and unfair and are sought to be justified on a basis of highly watered and fictitiously valued capital investments, and on operating and overhead expenses which are unreasonable because of high salaries and other unjustified expenditures; and

Whereas, it is further charged that some of such companies have brought themselves under a common ownership management and control

with the effect of creating a monopoly for the purpose of lessening competition and fixing prices; and

Whereas, it is necessary that the Legislature have all the facts in connection with these allegations and charges in order that proposed legislation now pending in both Houses may be acted upon in the interest of the public welfare, that an investigation be made into all matters herein mentioned; now, therefore,

Be It Resolved by the Senate of the State of Texas, the House of Representatives Concurring:

Section 1. That an investigation be ordered, the subject of which shall be to establish the true facts concerning the aforesaid allegations and charges. That a committee of five members of the Senate and the House of Representatives be appointed, three members thereof to be appointed from the House by the Speaker of the House of Representatives, and two members thereof from the Senate to be appointed by the President of the Senate, whose duty it shall be to conduct the investigation herein ordered.

Sec. 2. That said committee shall have the power to formulate its own rules of procedure and evidence and to provide its own hours for meeting and adjourning; said committee shall sit in the Capitol at Austin during its sessions, and sessions of said committee shall be open to the public, except at such times as the committee, by a majority vote, may determine to hold an executive session; the chairman of said committee shall be elected by majority vote of the members of said committee, and the committee shall appoint its own secretary, and the sergeant-at-arms shall be furnished from the present force now employed by the Senate or House of Representatives.

Sec. 3. That the committee shall have the power to issue process for witnesses to any place in the State and to compel their attendance, and to produce all books and records, and upon disobedience of any subpoena the said committee shall have the power to issue attachments which may be addressed to, and served by, either the sergeant-at-arms, appointed by said committee, or by any sheriff or constable of this state; said committee shall have the power to inspect and make copies of any books, records, or files of any

firm, corporation, or association of persons, pertaining to the subject matter contained herein, whose investigation is authorized by this order; the committee shall have the power to administer oaths and affirmations and to fix the bonds of attached witnesses, and the committee shall further have all powers necessary in order to establish the purposes for which it is appointed; said committee shall have authority to summons and question the Heads of, or employees in, any State Department for information or advice, and shall have access to the records of any Department.

Sec. 4. That the witnesses attending said committee under process shall be allowed the same mileage and per diem as is allowed witnesses in the trial of criminal cases in the district court.

Sec. 5. That it shall be the duty of said committee to make and keep a record of its investigation.

Sec. 6. That it shall be the duty of the Attorney General's department to assign one or more Assistant Attorney General to said committee for the purpose of assisting and advising said committee in its investigation. The Attorney General's department, when requested by said committee, shall render opinions and give counsel concerning any of the duties herein imposed. The State Auditor shall furnish the committee with an auditor, when requested by said committee to do so.

Sec. 7. That said committee shall begin its investigation at the earliest practicable moment and continue the same until the purposes herein stated are accomplished. Said committee shall, within forty (40) days from the passage of this Resolution, submit a report in writing to the Regular Session of the Forty-Second (42nd) Legislature, and to the Governor of the State of Texas. The compensation and expenses herein provided for incident to such investigation shall be paid out of the appropriation for mileage and per diem and contingent expenses of the Regular Session of the Forty-Second Legislature, upon sworn account of the persons entitled to such pay when approved by the chairman of said committee, and sufficient money is hereby appropriated out of mileage and per diem and contingent fund of said Regular Session of the

Forty-Second Legislature to meet the payment of such per diem and expenses of the witnesses, fees, and other expenses, incident to said investigation.

Sec. 8. That said committee may include in its report its recommendation of any legislation that should be enacted, or other action that should be taken.

PARRISH.

Senator Hopkins moved to refer the resolution to the Committee on State Affairs.

Senate Bill No. 136.

Senate Thomason called up from the table the following bill:

S. B. No. 136. A bill to be entitled "An Act amending Subdivision 2 of Article 199, Title 8, revised Civil Statutes of Texas of 1925, and providing for changing and prescribing terms and times of holding the Courts in the Second Judicial District of Texas; validating and continuing all processes and writs, bonds and recognizances and making them returnable to the terms of court in the several counties in said district as herein fixed; to validate the summoning of grand and petit jurors under the present law so as to render them available under the present Act; to repeal all laws and parts of laws in conflict herewith; providing for and declaring an emergency, and providing time for this Act to take effect."

The bill was read third time and finally passed by the following vote.

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Pur'l.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Hardin.	Stevenson.
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House Bill No. 43.

The Chair laid before the Senate on its second reading the following bill:

By Metcalfe:

H. B. No. 43, A bill to be entitled "An Act authorizing the appointment of an investigator in Tom Green county Texas, by the district attorney of the Fifty-first Judicial District; fixing the compensation of such investigator and the amount of expenses allowed him, and providing a method for the payment thereof, and declaring an emergency."

Read second time.

Senator Woodward sent up the following amendments:

Amendment No. 1.

Amend House Bill 43 by adding after Section 1 a new section to be known as Section 1a to read as follows:

"Section 1a. Said investigator shall perform his duties in Tom Green County under the direction of the District Attorney of any Judicial District now or which may hereafter be created within or for said Tom Green County."

WOODWARD.

Read and adopted.

Amendment No. 2.

Amend House Bill 43 Section 1 by adding after the words "salary of not" in line 6 of said section the following "less than 1500 nor"

WOODWARD.

Read and adopted.

Amendment No. 3.

Amend House Bill 43 by striking out of Section 1, lines 4 and 5, the words "and upon approval of the Commissioners' Court of Tom Green County."

WOODWARD.

Read and adopted.

The bill was passed to third reading.

On motion of Senator Woodward the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 43 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Cunningham.
Berkeley.	DeBerry.
Cousins.	Gainer.

Greer.	Poage.
Holbrook.	Pollard.
Hopkins.	Purl.
Hornsby.	Rawlings.
Loy.	Russek.
Martin.	Small.
Moore.	Thomason.
Neal.	Williamson.
Oneal.	Woodruff.
Parr.	Woodul.
Parrish.	Woodward.
Patton.	

Absent—Excused.

Hardin. Stevenson.

Read third time and finally passed
by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Hardin. Stevenson.

House Bill No. 5.

The Chair laid before the Senate
on its second reading the following
bill:

H. B. No. 5, A bill to be entitled
"An Act amending Section 2, Article
760, of the 1925 Code of Criminal
Procedure of the State of Texas, so
as to permit the statement of facts
in a misdemeanor case to accompany
the transcript instead of being copied
therein, and declaring an emer-
gency."

The bill was read second time and
passed to third reading.

On motion of Senator Small the
constitutional rule requiring bills to
be read on three several days was
suspended and H. B. No. 5 was put
on its third reading and final pas-
sage, by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Hardin. Stevenson.

Read third time and finally passed
by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Hardin. Stevenson.

House Bill No. 50.

The Chair laid before the Senate
on its second reading the following
bill:

H. B. No. 50, A bill to be entitled
"An Act making it a misdemeanor to
use a telephone in the office, place of
business or home of another person,
firm or corporation for long-distance
conversation and have the charges,
fees and tolls therefor charged to the
person, firm or corporation in whose
name the telephone so used is regis-
tered without the consent of the per-
son, firm or corporation in whose
name such telephone is registered,
and prescribing a penalty therefor,
and declaring an emergency."

The committee report carrying an
amendment was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Small the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 50 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Hardin. Stevenson.

Read third time and finally passed.

Message from the Governor.

The Chair recognized the Door-keeper, who introduced a messenger from the Governor with the following message:

Executive Department,
Austin, Texas, Feb. 26, 1931.
To the Senate of Texas:
Subject to your confirmation I have appointed Hon. Ernest Alexander of Tarrant County, Fort Worth, Texas, to succeed to the unexpired statutory term on the State Board of Education held by Hon. Frank Baldwin of McLennan County.
Very truly yours,
R. S. STERLING,
Governor.

Read and referred to Committee on Governor's Nominations.

House Bills Referred.

H. B. No. 372 referred to Committee on Highways and Motor Traffic.

H. B. No. 81 referred to Committee on Civil Jurisprudence.

H. B. No. 467 referred to Committee on Educational Affairs.

H. B. No. 125 referred to Committee on Civil Jurisprudence.

H. B. No. 470 referred to Committee on Educational Affairs.

H. B. No. 486 referred to Committee on Highways and Motor Traffic.

H. B. No. 530 referred to Committee on Educational Affairs.

H. B. No. 537 referred to Committee on Towns and City Corporations.

H. B. No. 466 referred to Committee on State Affairs.

H. B. No. 365 referred to Committee on Highways and Motor Traffic.

H. B. No. 300 referred to Committee on Counties and County Boundaries.

H. B. No. 246 referred to Committee on Highways and Motor Traffic.

H. B. No. 179 referred to Committee on State Affairs.

H. B. No. 436 referred to Committee on Mining, Irrigation and Drainage.

H. B. No. 545 referred to Committee on Mining, Irrigation and Drainage.

House Bill No. 192.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 192, A bill to be entitled "An Act to levy and collect annually a three dollar road tax against all able-bodied male citizens of Hays county, Texas, who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collection of said tax and repealing all laws in conflict therewith, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Hopkins the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 192 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Greer.
Berkeley.	Holbrook.
Cousins.	Hopkins.
Cunningham.	Hornsby.
DeBerry.	Loy.
Gainer.	Martin.

Moore.	Rawlings.
Neal.	Russek.
Oneal.	Small.
Parr.	Thomason.
Parrish.	Williamson.
Patton.	Woodruff.
Poage.	Woodul.
Pollard.	Woodward.
Purl.	

Absent—Excused.

Hardin. Stevenson.

Read third time and finally passed
by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Hardin. Stevenson.

Senate Bill No. 103.

By an affirmative vote of four-fifths of the membership of the Senate, the Constitutional Rule relating to the passage of general bills during the first 60 days of the session was suspended and consent was granted to take up and consider the following bill:

By Senators Moore, Greer, Pollard, Beck, Thomason, Neal, and Patton: S. B. No. 103, A bill to be entitled "An Act for the control and prevention of malaria; prescribing the duties of the State Board of Health in reference thereto; making an appropriation, and declaring an emergency."

Read second time.

Senator Moore sent up the following amendment:

Amend S. B. No. 103 by striking out the word "East" in line 20 of the printed bill.

MOORE.

Read and adopted.

Senator Purl moved to re-refer S. B. No. 103 to the Committee on Finance.

Senator Moore moved to table the motion to re-refer. The motion to table prevailed by the following vote:

Yeas—12.

Beck.	Pollard.
Greer.	Russek.
Moore.	Small.
Neal.	Thomason.
Oneal.	Williamson.
Patton.	Woodruff.

Nays—10.

Berkeley.	Martin.
DeBerry.	Parrish.
Holbrook.	Poage.
Hornsby.	Purl.
Loy.	Rawlings.

Absent.

Cousins.	Parr.
Cunningham.	Woodul.
Gainer.	Woodward.
Hopkins.	

Absent—Excused.

Hardin. Stevenson.

Senator Purl sent up the following amendment:

Amend Senate Bill No. 103 by adding thereto a new section to be known as section No. 2-a to read as follows:

"Provided, however, that not more than five percent (5%) of this appropriation shall be spent for traveling expenses, literature, stationery and stamps; and provided further that no additional employees shall be employed and that none of this money shall be paid for increase in the salary of any employee now in the State Health Department."

PURL.

The amendment was read.

Executive Session Re-set.

Senator Williamson moved to postpone the executive session until S. B. No. 103 was disposed of.

Senator Hornsby moved to recess until 2 o'clock p. m. The motion was lost.

Senate Bill No. 103.

The question recurred on the adop-

tion of the amendment to S. B. No. 103.

The amendment was adopted.

Senator Moore sent up the following amendment:

Amend S. B. No. 103 by adding after the word "the" in line 26 of the printed bill, the word "fiscal".

MOORE.

Read and adopted.

The bill passed to engrossment.

On motion of Senator Moore, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 103 was put on its third reading and final passage, by the following vote:

Yeas—26.

Beck.	Oneal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Poage.
Greer.	Pollard.
Holbrook.	Purl.
Hopkins.	Rawlings.
Hornsby.	Russek.
Loy.	Small.
Martin.	Thomason.
Moore.	Williamson.
Neal.	Woodward.

Nays—1.

Woodruff.

Absent.

Woodul.

Absent—Excused.

Cousins.	Stevenson.
Hardin.	

Read third time and finally passed by the following vote:

Yeas—20.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Patton.
Greer.	Pollard.
Holbrook.	Rawlings.
Hopkins.	Russek.
Loy.	Small.
Martin.	Thomason.
Moore.	Williamson.
Neal.	Woodward.

Nays—5.

DeBerry.	Purl.
Hornsby.	Woodruff.
Poage.	

Present—Not Voting.

Cunningham.

Absent.

Gainer.
Parrish.

Woodul.

Absent—Excused.

Hardin.

Stevenson.

Reason for Vote.

On S. B. No. 103 I voted nay for the following reasons: I am not opposed to an adequate appropriation for the control of malaria, but I think this appropriation should have been considered in connection with all other appropriations so that the right proportion could have been arrived at.

DeBERRY.

H. C. R. No. 28.

The Chair laid before the Senate:

H. C. R. No. 28, Memorializing Congress relative to a tariff on imports of silver.

The resolution was read and laid on the table subject to call.

Executive Session.

At 12:20 o'clock, the Chair announced that the hour for the executive session had arrived. The chamber was cleared and the doors were locked.

After Executive Session.

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk that the following action had been taken:

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Governor's Nominations, to whom was referred the appointment of Hon. Ernest Alexander of Tarrant County, Fort Worth, Texas, to succeed to the unexpired statutory term of the State Board of Education held by Hon. Frank Baldwin of McLennan County.

Have had same under consideration and report same back with recommendations that said appointment be ratified and confirmed.

POLLARD, Chairman.

Adopted.

Recess.

On motion of Senator Russek, the Senate, at 12:32 o'clock, recessed until 4 o'clock p. m.

After Recess.

The Senate met at 4 o'clock p. m., pursuant to recess, and was called to order by Senator Berkeley.

Senate Bill No. 232.

By an affirmative vote of four-fifths of the membership of the Senate, the constitutional rule relating to the passage of general bills during the first 60 days of the session was suspended and consent was granted to take up and consider the following bill:

By Senator Moore:

S. B. No. 232, A bill to be entitled "An Act to provide for making the rolls and summaries of the scholastic census of the public schools; to provide for making affidavits supporting said rolls and summaries, and prescribing a penalty for making a false affidavit; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Moore, the constitutional rule requiring bills to be read on three several days was suspended, and S. B. No. 232 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Hardin.	Stevenson.
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Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodward.
Neal.	

Absent—Excused.

Hardin.	Stevenson.
Pollard.	Woodul.

Senate Bill No. 9.

By an affirmative vote of four-fifths of the membership of the Senate, the constitutional rule relating to the passage of general bills during the first 60 days of the session was suspended and consent was granted to take up and consider the following bill:

By Senator Oneal:

S. B. No. 9, A bill to be entitled "An Act validating all proceedings heretofore had and taken to organize, create or establish any and all such drainage districts within this State under the provisions of Title 128, Chapters 7 and 8 of the Revised Civil Statutes, 1925, to-wit, Article 8097 to 8197, both inclusive, of such Revised Civil Statutes, 1925, etc., and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Oneal, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 9 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Loy.
Berkeley.	Martin.
Cousins.	Moore.
Cunningham.	Neal.
DeBerry.	Oneal.
Gainer.	Parr.
Greer.	Parrish.
Holbrook.	Patton.
Hopkins.	Poage.
Hornsby.	Pollard.

Purl.	Williamson.
Rawlings.	Woodruff.
Russek.	Woodul.
Small.	Woodward.
Thomason.	

Absent—Excused.

Hardin.	Stevenson.
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Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodward.
Neal.	

Absent—Excused.

Hardin.	Stevenson.
Pollard.	Woodul.

Senate Bill No. 241.

By an affirmative vote of four-fifths of the entire membership of the Senate the Constitutional Rule relating to the passage of General Bills during the first 60 days of the session was suspended and consent granted to take up and consider the following Bill:

By Senator Oneal:

S. B. No. 241, A bill to be entitled "An Act to amend Title 23 of the Revised Civil Statutes of Texas of 1925, entitled "Brands and Trade-marks," by adding thereto Articles 851-A and 851-B providing for the cancellation of the filing of and withdrawal from registration, by the Secretary of State, labels, trade-marks, designs, devices, imprints or forms of advertising heretofore or hereafter filed in accordance with Article 851 of the Revised Civil Statutes of Texas of 1925, and providing for the registration of similar or identical labels, trade-marks, designs, devices, imprints or forms of advertising by others; and declaring an emergency."

The Committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Oneal the Constitutional Rule requiring bills to be read on three several days was suspended and S. B. No. 241 was put on its third reading and final passage, by the following vote:

Yeas—27.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodward.
Neal.	

Absent—Excused.

Hardin.	Stevenson.
Pollard.	Woodul.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodward.
Neal.	

Absent—Excused.

Hardin.	Stevenson.
Pollard.	Woodul.

Senate Bill No. 402.

By an affirmative vote of four-fifths of the membership of the Senate, the Constitutional Rule relating to the passage of General Bills during the first 60 days of the session was suspended and consent was granted to take up and consider the following Bill:

By Senator Russek:

S. B. No. 402, A bill to be entitled "An Act regulating the business of selling horses and mules; requiring a license of vendors and dealers; providing the time, method and manner of obtaining licenses; providing for the revocation thereof; providing for the inspection by the Livestock Sanitary Commission; making an appropriation; prescribing fees of office; providing for said Commission to promulgate rules and regulations; providing for bills of sales; prescribing offenses, punishment, fines and penalties; and declaring an emergency."

Read second time.

Senator Purl sent up the following amendment:

Amend S. B. No. 402 by adding the following:

The provisions of this Act shall not apply to any county in the State that had a population of 325,791 and less than 326,000 according to the 1930 Federal Census.

PURL.

Read and adopted.

On motion of Senator Russek, the bill was laid on the table subject to call.

Senate Bill No. 140.

By the affirmative vote of four-fifths of the membership of the Senate, the constitutional rule relating to the passage of general bills during the first 60 days of the session was suspended and consent was granted to take up and consider the following bill:

By Senator Hornsby:

S. B. No. 140, A bill to be entitled "An Act giving consent of the Legislature to Raymond Canion and his heirs to sue the State of Texas for Four Thousand (\$4,000.00) Dollars on Highway contracts, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Hornsby the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 140 was put on its third reading and final passage, by the following vote:

Yeas—27.

Beck.	Cunningham.
Berkeley.	DeBerry.
Cousins.	Gainer.

Greer.	Patton.
Holbrook.	Poage.
Hopkins.	Purl.
Hornsby.	Rawlings.
Loy.	Russek.
Martin.	Small.
Moore.	Thomason.
Neal.	Williamson.
Oneal.	Woodruff.
Parr.	Woodward.
Parrish.	

Absent—Excused.

Hardin.	Stevenson.
Pollard.	Woodul.

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodward.

Nays—1.

Loy.

Absent—Excused.

Hardin.	Stevenson.
Pollard.	Woodul.

Motion to Concur.

Senator Woodruff moved to concur in the House Amendment to S. B. No. 84. The motion prevailed by the following vote:

Yeas—27.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodward.
Neal.	

Absent—Excused.

Hardin. Stevenson.
Pollard. Woodul.

Senate Bill No. 361.

By an affirmative vote of four-fifths of the membership of the Senate, the constitutional rule relating to the passage of general bills during the first 60 days of the session was suspended and consent was granted to take up and consider the following bill:

By Senator Woodward:

S. B. No. 361, A bill to be entitled "An Act amending Section 19 (Section 1 of Article 8406, Revised Civil Statutes of the State of Texas of 1925 relating to compensation of an employee who has been hired in this State and sustains an injury outside of the State of Texas, fixing the jurisdiction of suits filed under this section, providing that such injury shall have occurred within one year from the date such injured employee leaves this State and that no recovery shall be had if the employee has elected to pursue his remedy and recover in the State where such injury occurred and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Woodward the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 361 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodward.
Neal.	

Absent—Excused.

Hardin. Stevenson.
Pollard. Woodul.

Read third time and finally passed.

Senate Bill No. 358.

By an affirmative vote of four-fifths of the membership of the Senate, the constitutional rule relating to the passage of general bills during the first 60 days of the session was suspended and consent was granted to take up and consider the following bill:

By Senator Woodward:

S. B. No. 358, A bill to be entitled "An Act amending Section 8 of Article 8307 of the Revised Statutes of the State of Texas of 1925 relating to acts and decisions of the Industrial Accident Board and the admission as evidence of its proceeding, when duly attested and sealed, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Woodward the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 358 was put on its third reading and final passage, by the following vote:

Yeas—27.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodward.
Neal.	

Absent—Excused.

Hardin. Stevenson.
Pollard. Woodul.

Read third time and finally passed.

Senate Bill No. 359.

By an affirmative vote of four-fifths of the membership of the Senate, the Constitutional Rule relating to the passage of General Bills during the first 60 days of the session was suspended and consent was granted to take up and consider the following Bill:

By Senator Woodward:

S. B. No. 359, A bill to be entitled "An Act amending Section 4 of

Article 8307 of the Revised Civil Statutes of the State of Texas of 1925, relating to the administrative authority of the Industrial Accident Board, to the examination of any employee by a physician or physicians of the Board or of the Association at reasonable times and places, and authorizing the Board to subpoena witnesses, administer oaths, inquire into matters of fact, punish to contempt, examine records of parties to a proceeding, and to bar persons guilty of unethical or fraudulent conduct from practicing before the Board, and declaring an emergency."

Read second time.

Senator Woodward sent up the following amendment:

Amend Senate Bill No. 359 by adding after the word "treatment" line 1, page 2 the following words, to-wit: "Or other remedial treatment recognized by the State."

WOODWARD.

Read and adopted.

On motion of Senator Woodward, the bill was laid on the table subject to call.

House Bill No. 436.

The Chair laid before the Senate by unanimous consent the following bill:

H. B. No. 436, A bill to be entitled "An Act to create and validate Cameron County Water Control and Improvement District No. 18 in Cameron county, Texas, as a conservation and reclamation district; validating and approving all orders made by the commissioners court of said county in respect to the original organization of Cameron County Water Control and Improvement District No. 18, under Article 16, Section 59, of the Constitution, etc., and declaring an emergency."

The rule requiring Committee reports to lie over 24 hours was suspended by a two-thirds vote.

The committee report was adopted.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 436 was put on its 2nd reading by the following vote:

Yeas—27.

Beck.	Cunningham.
Berkeley.	DeBerry.
Cousins.	Gainer.

Greer.	Patton.
Holbrook.	Poage.
Hopkins.	Purl.
Hornsby.	Rawlings.
Loy.	Russek.
Martin.	Small.
Moore.	Thomason.
Neal.	Williamson.
Oneal.	Woodruff.
Parr.	Woodward.
Parrish.	

Absent—Excused.

Hardin.	Stevenson.
Pollard.	Woodul.

The bill was read second time and passed to third reading.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 436 was put on its third reading and final passage, by the following vote:

Yeas—27.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodward.
Neal.	

Absent—Excused.

Hardin.	Stevenson.
Pollard.	Woodul.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodward.
Neal.	

Absent—Excused.

Hardin.	Stevenson.
Pollard.	Woodul.

House Bill No. 545.

The Chair laid before the Senate by unanimous consent the following bill:

H. B. No. 545, A bill to be entitled "An Act to create Cameron County Water Improvement District No. 8, in Cameron county, Texas, as a water improvement district, with the powers of a conservation and reclamation district under Article 16, Section 59, of the Constitution of Texas; defining its territorial limits, purposes and powers; to validate the bonds of said district in the principal sum of \$1,000,000.00, with attached interest coupons dated June 1, 1929, as legal and binding obligations of such district as hereby created, and the taxes levied in payment therefor, etc., and declaring an emergency."

The rule requiring committee reports to lie over 24 hours was suspended by a two-thirds vote.

The committee report was adopted.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 545 was put on its second reading by the following vote:

Yeas—27.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodward.
Neal.	

Absent—Excused.

Hardin.	Stevenson.
Pollard.	Woodul.

The bill was read second time and passed to third reading.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 545 was

put on its third reading and final passage, by the following vote:

Yeas—27.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodward.
Neal.	

Absent—Excused.

Hardin.	Stevenson.
Pollard.	Woodul.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodward.
Neal.	

Absent—Excused.

Hardin.	Stevenson.
Pollard.	Woodul.

Senate Bill No. 41.

By an affirmative vote of four-fifths of the membership of the Senate, the Constitutional Rule relating to the passage of General Bills during the first 60 days of the session was suspended and consent was granted to take up and consider the following Bill:

By Senator Purl:

S. B. No. 41, A bill to be entitled "An Act defining group life insurance; providing that no policy of group life insurance shall be issued or delivered unless and until a copy of the form thereof has been filed

with the Life Insurance Commissioner and formally approved by him, stipulating the provisions which must be contained in such policy; providing the manner of paying the proceeds of any such insurance; providing the method of computing the reserves on such policies; prohibiting the issuance of any contract of life insurance covering a group except as provided by the provisions of the Act, and declaring an emergency."

House Bill No. 365.

The Chair laid before the Senate by unanimous consent the following bill:

H. B. No. 365, A bill to be entitled "An Act to amend Section 14, Chapter 34, of the Acts of the First Called Session of the Forty-first Legislature of the State of Texas, entitled 'An Act to create a more efficient road system for McLennan county, Texas,' by adding thereto Sections 14a and 14b, to authorize the commissioners court to expend county funds in any incorporated city or town for county and State highway road purposes and validating any previous action had and taken, and declaring an emergency."

The rule requiring committee reports to lie over 24 hours was suspended by a two-thirds vote.

The committee report was adopted.

On motion of Senator Poage the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 365 was put on its second reading, by the following vote:

Yeas—27.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodward.
Neal.	

Absent—Excused.

Hardin.	Stevenson.
Pollard.	Woodul.

The bill was read second time and passed to third reading.

On motion of Senator Poage the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 365 was put on its third reading and final passage by the following vote:

Yeas—27.

Berkeley.	Oneal.
Beck.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodward.
Neal.	

Absent—Excused.

Hardin.	Stevenson.
Pollard.	Woodul.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Moore.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Martin.	Woodward.
Neal.	

Absent—Excused.

Hardin.	Stevenson.
Pollard.	Woodul.

Adjournment.

On motion of Senator Martin, the Senate, at 5:20 o'clock p. m., adjourned until 10:00 o'clock tomorrow morning.

APPENDIX.

Petitions and Memorials.

TREASURY DEPARTMENT

Internal Revenue Service

Austin, Texas, Feb. 25, 1931.

Hon. Edgar E. Witt, Lieutenant Governor,
Capitol Station, Austin,
Texas.

My Dear Mr. Witt:

I am writing you a general letter which you may read to the members of the State Senate, concerning the filing of their income tax returns for the calendar year 1930. As you doubtless know all income tax returns are due to be filed in the office of the Collector on or before March 15th of the year following. Inasmuch as March 15 of this year falls on Sunday, returns will be accepted without penalty on March 16, 1931.

I know a great many of the Senators will not be able to return to their respective places of business and file their income tax returns and I will be pleased to grant any member a thirty or sixty or ninety day extension of time in which to file their returns. Of course, the deferred installment will bear interest at the rate of 6%. It will be necessary for each Senator to make an application for this extension. They may write, telephone or call in person and I will be pleased to grant the extension.

Of course you understand there are two districts of collection in Texas and I am enclosing a list of the counties in the First District (Austin District) and the Second District (Dallas District), and the Senators living in the Second District will make their applications to Honorable George C. Hopkins, Collector of Internal Revenue, Dallas, Texas.

I trust this will be of some benefit to you and your associates.

With kindest personal regards, I am

Sincerely yours,
JAMES W. BASS,
Collector.

Counties comprising the First U. S. Internal Revenue Collection District in the State of Texas, effective July 1, 1921. All taxpayers residing in these counties should address their mail to James W. Bass, Collector, Austin, Texas:

Aransas
Atascosa
Austin
Bandera
Bastrop
Bee
Bell
Bexar
Blanco
Bosque
Brazoria
Brazos
Brewster
Brooks
Burleson
Burnet
Caldwell
Calhoun
Cameron
Chambers
Colorado
Comal
Coryell
Culberson
Dewitt
Dimmit
Duval
Edwards
El Paso
Falls
Fayette
Fort Bend
Freestone
Frio
Galveston
Gillespie
Goliad
Gonzales
Grimes
Guadalupe
Hamilton
Hardin
Harris
Hays
Hidalgo
Hill
Hudspeth
Jackson
Jasper
Jeff Davis
Jefferson
Jim Hogg
Jim Wells
Karnes
Kendall

Kerr
Kimble
Kinney
Kleberg
Lampasas
La Salle
Lavaca
Lee
Leon
Liberty
Limestone
Live Oak
Llano
McCulloch
McLennan
McMullen
Madison
Mason
Matagorda
Maverick
Medina
Milam
Montgomery
Newton
Nueces
Orange
Pecos
Polk
Presidio
Real
Reeves
Refugio
Robertson
San Jacinto
San Patricio
San Saba
Somervill
Starr
Terrell
Travis
Trinity
Tyler
Uvalde
Valverde
Victoria
Walker
Waller
Washington
Webb
Wharton
Willacy
Williamson
Wilson
Zapata
Zavalla

Counties comprising the Second U. S. Internal Revenue Collection District in the State of Texas, effective July 1, 1921. All taxpayers residing in these counties should address their mail to Geo. C. Hopkins, Collector, Dallas, Texas:

Anderson	Hockley
Andrews	Hood
Angelina	Hopkins
Archer	Houston
Armstrong	Howard
Bailey	Hunt
Baylor	Hutchinson
Borden	Irion
Bowie	Jack
Briscoe	Johnson
Brown	Jones
Callahan	Kaufman
Camp	Kent
Carson	King
Cass	Knox
Castro	Lamar
Cherokee	Lamb
Childress	Lipscomb
Clay	Loving
Cochran	Lubbock
Coke	Lynn
Coleman	Marion
Collin	Martin
Collingsworth	Menard
Comanche	Midland
Concho	Mills
Cooke	Mitchell
Cottle	Montague
Crane	Moore
Crosby	Morris
Crockett	Motley
Dallam	Nacogdoches
Dallas	Navarro
Dawson	Nolan
Deaf Smith	Ochiltree
Delta	Oldham
Denton	Palo Pinto
Dickens	Panola
Donley	Parker
Eastland	Parmer
Ector	Potter
Ellis	Raines
Erath	Randall
Fannin	Reagan
Fisher	Red River
Floyd	Roberts
Foard	Rockwall
Franklin	Runnels
Gaines	Rusk
Garza	Sabine
Glasscock	San Augustine
Gray	Schleicher
Grayson	Scurry
Gregg	Shackelford
Hale	Shelby
Hall	Sherman
Hansford	Smith
Hardeman	Stephens
Harrison	Sterling
Hartley	Stonewall
Haskell	Sutton
Hemphill	Swisher
Henderson	Tarrant

Taylor	Wheeler
Terry	Wichita
Throckmorton	Wilbarger
Titus	Winkler
Tom Green	Wise
Upshur	Wood
Upton	Yoakum
Van Zandt	Young
Ward	

PARRISH'S HUMOR

DRAWS A RETORT

LUBBOCK, Feb. 26.—(AP)—A semi-humorous resolution offered in the legislature at Austin Wednesday by Sen. Pink L. Parrish of Lubbock, drew fire here Thursday from Gus Kallas, local restaurant proprietor.

In his resolution, Parrish, who at one time operated a restaurant in Lubbock, noted that hotel and restaurant men "are making the meager sum of 1250 per cent profit on the eggs they serve."

Kallas sent a telegram to Parrish as follows:

"Sen. Pinky Levi Parrish,

"An Ex-Restaurant Man,

"Austin, Texas:

"Gas high here, hens working full time. If we had senate's supply of gas could get that reduction. Introduce gas bill, then come where raw eggs are cheap."

Committee Reports.

Committee Room,

Austin, Texas, Feb. 26, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 275, A bill to be entitled "An Act to amend Chapter 82, General and Special Laws of the Fortieth Legislature, Regular Session, approved March 12, 1927, entitled 'An Act relating to the duties of the county board of trustees of the public schools of this State in all counties having 210,000 population or more, according to the last preceding Federal census; etc.,' and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

Committee Room,
Austin, Texas, Feb. 27, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 154, A bill to be entitled "An Act to fix the salary of the State Superintendent of Public Instruction, repealing all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

NEAL, Chairman.

Committee Room,
Austin, Texas, Feb. 27, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 425, A bill to be entitled "An Act to revalidate State Normal School diplomas and permanent certificates, repealing all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with the following committee amendment:

Amend the bill by changing the word "ten" wherever it appears in the bill and insert in lieu thereof the word "fifteen."

NEAL, Chairman.

Committee Room,
Austin, Texas, Feb. 26, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 178, A bill to be entitled "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisors; providing for visits to schools of the County and work in co-operation with teachers; prescribing the salary of said supervisor and how it shall be paid; providing other things incidental to said purpose; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do pass, and be not printed.

NEAL, Chairman.

Committee Room,
Austin, Texas, Feb. 26, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 94, A bill to be entitled "An Act to fix the salary of the County Superintendent of Public Instruction and the County Board of School Trustees in each County in Texas having a population of not less than 18,425, nor not more than 18,435, according to the Federal Census of 1930; providing for office expenses; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

NEAL, Chairman.

Committee Room,
Austin, Texas, Feb. 26, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 564, A bill to be entitled "An Act creating and enlarging Mullin Independent School District in Mills County, Texas, defining its boundary lines, including the Mullin Independent School District, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

NEAL, Chairman.

Committee Room,
Austin, Texas, Feb. 25, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 348, A bill to be entitled "An Act to amend Article 7272, of Chapter 8, Title 122, of the Revised Civil Statutes of 1925, relating to liability of property for taxes so as to provide that a person may pay on a part of the property assessed with-

out being required to pay on all of the property assessed; repealing all laws and parts of laws in conflict herewith and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed in lieu of advance printing.

MOORE, Chairman.

Committee Room,

Austin, Texas, Feb. 25, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 134, A bill to be entitled "An Act repealing Articles 4027, 4036, 4037, 4039, 4040, 4041, of the Revised Civil Statutes of 1925, and amending Article 4035 of the Revised Civil Statutes of 1925 and Article 960 of the Penal Code of the State of Texas; providing for the lease of oyster reefs or bottoms of the public waters of the State of Texas to citizens of the United States or domestic corporations for the exclusive purpose of cultivating oysters and for no other purpose."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass, and be not printed in lieu of advance printing.

MOORE, Chairman.

Committee Room,

Austin, Texas, Feb. 25, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 342, A bill to be entitled "An Act defining the North White Wing Zone and the South White Wing Zone and amending Article 879A of Chapter 74 of the General and Special Laws of the Regular Session of the 41st Legislature, and Article 879B of Chapter 215 of the General and Special Laws of the Regular session of the 40th Legislature, which articles relate to the open season on white wing doves and quail and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass.

MOORE, Chairman.

Committee Room,

Austin, Texas, Feb. 25, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 447, A bill to be entitled "An Act authorizing the Game, Fish & Oyster Commission to construct a channel through Padre Island, Mustang Island and St. Jo Island; providing for the maintenance of such pass or passes; authorizing said Commission to pay the cost of such construction and maintenance from the Special Game Fund, the Fish & Oyster Fund, the Fish Propagation and Protection Fund or the Sand, Shell & Gravel Fund, or partly or all together out of any one of said funds, etc., and declaring an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

MOORE, Chairman.

Committee Room,

Austin, Texas, Feb. 25, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We your Committee on State Affairs, to whom was referred

S. B. No. 311, A bill to be entitled "An Act to amend Article 7324 of the Revised Civil Statutes of 1925, providing for collectors of taxes to mail notices of tax delinquencies to record owners of lands and lots situated in the county, showing amount of taxes delinquent on said property; and providing for delivering of copies of said notices to County Attorneys; and providing that upon payment of delinquent taxes, the collector of taxes shall issue receipts for such payments; and to amend Article 7336 of the Revised Civil Statutes, 1925, providing the time when taxes shall become due, and when they become delinquent, and providing a penalty for non-payment of said taxes, and for interest upon said taxes, etc., and declaring an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with Committee Amendment and be not printed in lieu of advance printing.

MOORE, Chairman.

Committee Amendment No. 1.

Amend Senate Bill No. 311: After Section 3 of the printed bill insert Section 4 in words as follows:

"Section 4. No taxes now delinquent shall be in any way affected by this Act but shall remain due and delinquent with the penalty thereon and bear interest the same as if this Act had not been enacted. And this Act shall in no way affect the Act enacted by this the Forty-second Legislature, known as S. B. No. 8, but the taxes for the year 1930 affected by said S. B. No. 8 shall continue to bear interest and be subject to the penalty provided in said S. B. No. 8 as if this Act had not been enacted."

Committee Amendment No. 2.

Amend S. B. No. 311, line 8, page 6 of the printed bill by striking out the figure "4" after the word "Sec." and inserting in lieu thereof the figure "5."

Committee Room,

Austin, Texas, Feb. 26, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, the Senate Finance Committee, have had under consideration S. B. No. 35 and beg leave to report back to the Senate that it do not pass, but in lieu thereof the Senate Finance Committee Substitute Bill do pass.

BECK, Chairman.

Committee Room,

Austin, Texas, Feb. 25, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Constitutional Amendments have had S. J. R. No. 21 under consideration and beg leave to report back to the Senate that the original S. J. R. No. 21 do not pass, but in lieu thereof the Senate Committee Substitute Joint Resolution, "Proposing an amendment to Article 3 of the Constitution of the State of Texas by adding to Section 48 thereof a provision authorizing the levying of taxes on all motor fuels for state highway purposes, and by adding to Section 49 of said Article 3 a provision enabling the Legislature to provide for the extension of the credit of the State, secured by a tax on motor fuels, for the purpose

of the construction of a system of state highways and reimbursing outlays and assuming and/or discharging obligations made by counties and defined road districts therefor by means of a tax on gasoline and all other motor fuels, and applying one-fourth thereof to the public free school funds, and providing that no lien shall be created against real or personal property for the purpose of paying bonds issued for the purpose of building and constructing designated state highways, and the interest on said bonds shall not exceed four and one-half percent. The Legislature shall not be authorized to issue in excess of \$200,000,000.00 of bonds under this amendment," do pass in lieu thereof and be printed.

HOLBROOK, Chairman.

Committee Room.

Austin, Texas, Feb. 25, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 22, "Proposing an amendment to the Constitution of the State of Texas by amending Section 1 of Article VI, and Section 33 and Section 40 of Article 16, of the Constitution of Texas so as to permit officers of the National Guard, The National Guard Reserves, and the Officers Reserve Corps of the United States, and enlisted men of the National Guard, the National Guard Reserve, and the Organized Reserves of the United States, and retired officers of the United States Army, Navy and Marine Corps, and retired enlisted men of the United States Army, Navy and Marine Corps, to vote and to hold public office in Texas."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do not pass but that the Committee Substitute do pass in lieu thereof.

HOLBROOK, Chairman.

Committee Room,

Austin, Texas, Feb. 27, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 202, A bill to be entitled

"An Act providing for the employment of County Supervisors of Rural Schools; exempting counties making provision for the employment of supervisors from the provisions of the institute law; making provisions for the payment of the salaries and expenses of supervisors; repealing all laws in conflict herewith; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with the following committee amendments:

Amend S. B. No. 202 by adding at the end of Section 3, the following: "Provided the above provisions shall not apply to the County of Hunt, and provided further that said provision shall not apply to the Counties of Fayette, Colorado, Austin, Lavaca and Waller."

NEAL, Chairman.

Committee Room,

Austin, Texas, Feb. 26, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Mining, Drainage and Irrigation, to whom was referred

H. B. No. 436, A bill to be entitled "An Act to create and validate Cameron county water Control and Improvement Dist. No. 18 in Cameron Co., Texas, as a Conservation and Reclamation District; validating and approving all orders made by the Commissioners' Court of said County in respect to the original organization of Cameron Co., Water Control and Improvement District No. 18, under Article 16, Section 59, of the Constitution; etc., and declaring an emergency***."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HORNSBY, Chairman.

Committee Room,

Austin, Texas, Feb. 26, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Mining, Drainage and Irrigation, to whom was referred

H. B. No. 545, A bill to be entitled "An Act to create Cameron County Water Improvement District No. 8,

in Cameron County, Texas, as a water improvement district with the powers of a conservation and reclamation district under Article 16, Section 59, of the Constitution of Texas, defining its territorial limits, purposes and powers; to validate the bonds of said District, in the principal sum of \$1,000,000.00 with attached interest coupons, dated June 1, 1929, as legal and binding obligations of such District as hereby created, and the taxes levied in payment therefor; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HORNSBY, Chairman.

Committee Room,

Austin, Texas, Feb. 26, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred S. B. No. 333,

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WILLIAMSON, Chairman.

Committee Room,

Austin, Texas, Feb. 26, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred H. B. No. 486,

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WILLIAMSON, Chairman.

Committee Room,

Austin, Texas, Feb. 26, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred H. B. No. 372,

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WILLIAMSON, Chairman.

Committee Room,
Austin, Texas, Feb. 26, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred H. B. No. 365, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WILLIAMSON, Chairman.

Committee Room,
Austin, Texas, Feb. 26, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred H. B. No. 206, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WILLIAMSON, Chairman.

Committee Room,
Austin, Texas, Feb. 26, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred S. B. No. 31 have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendment.

WILLIAMSON, Chairman.

Committee Room,
Austin, Texas, Feb. 26, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred S. B. No. 410, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WILLIAMSON, Chairman.

Committee Room,
Austin, Texas, Feb. 26, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Highways and Motor traffic, to whom was referred S. B. No. 389, have had same under consideration and I am instructed to report it back

to the Senate with the recommendation that it do pass and be not printed.

WILLIAMSON, Chairman.

Committee Room,
Austin, Texas, Feb. 26, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred S. B. No. 411, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WILLIAMSON, Chairman.

Committee Room,
Austin, Texas, Feb. 26, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred S. B. No. 401, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WILLIAMSON, Chairman.

Committee Room,
Austin, Texas, Feb. 26, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred S. B. No. 398, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WILLIAMSON, Chairman.

Committee Room,
Austin, Texas, Feb. 25, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 441, A bill to be entitled "An Act fixing the salary of county commissioners in each county having a population of not less than 3,250, and not more than 3,750, according to the latest United States Census, and having assessed property valuation in excess of \$4,300,000; providing for the payment of same out of the General County Fund and Road and Bridge Fund, and declaring an emergency."

Have had same under consireation, and I am instructed to report it back to the Senate with recommendation that it do pass and be printed in the Journal.

MOORE Chairman.

By Small.

S. B. No. 441.

A BILL

To Be Entitled

An Act fixing the salary of county commissioners in each county having a population of not less than 3250 and not more than 3750, according to the latest United States census, and having assessed property valuation in excess of \$4,300,000; providing for the payment of same out of the General County Fund and Road and Bridge Fund, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. In each County of this State, having a population of not less than 3250 and not more than 3750 according to the 1930 United States Census, and having an assessed property valuation as shown by the latest approved tax rolls in excess of \$4,300,000, the salary of each County Commissioner shall be Sixty Dollars (\$60.00) per month, payable monthly out of the General County Fund and the Road and Bridge Fund as provided by law.

Sec. 2. The fact that present laws fixing a salary of County Commissioners in said counties are inadequate, creating an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be and the same is hereby suspended and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

THIRTY-THIRD DAY.

Senate Chamber,
Austin, Texas,
February 27, 1931.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Hardin.	Stevenson.
Pollard.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Committee Reports.

(See Appendix.)

Senators Excused.

The following Senators were excused for the day:

Senator Stevenson, illness, on motion of Senator Martin.

Senator Hardin, death in the family, on motion of Senator Moore.

Senator Pollard, important business, on motion of Senator Woodul.

Senate Bills Re-referred.

On motion of Senator Moore, S. B. Nos. 106, 203, and 34 were withdrawn from the Committee on State Affairs and re-referred to the Committee on Finance.

Senate Bill No. 310.

By an affirmative vote of four-fifths of the membership of the Senate, the constitutional rule relating to the passage of general bills during the first 60 days of the session was suspended and consent was granted to take up and consider the following bill as special order:

By Senator Oneal:

S. B. No. 310, A bill to be entitled "An Act validating and making certain Sections 1 and 2 of Chapter 81, General Laws of the Second Called Session of the Thirty-sixth Legislature, being Articles 5367 and 5368 of